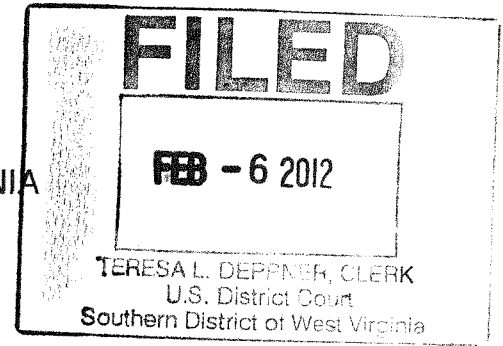


UNITED STATES DISTRICT COURT
for the
SOUTHERN DISTRICT OF WEST VIRGINIA
Charleston, West Virginia



United States of America,
Plaintiff,

v

Civil Action No.: 10-cv-1087

\$88,029.08
Defendant.

(John F. Tomasic and Katherine
A. Hoover, owners)

MOTION FOR SANCTIONS AGAINST MAGISTRATE JUDGE
MARY STANLEY

Magistrate Judge Mary Stanley wrote Proposed Findings of Fact and Conclusions of Law regarding the United States' Motion for Summary Judgment as to the interests of John F. Tomasic. When Magistrate Stanley made her recommendations, she did not consider the pleadings filed by the owner of the money, John Tomasic, because she claimed that the pleading was not verified. That ruling is a violation of FRCP Rule 11(b) "Representations to the Court. By presenting to the court a pleading, written motion or other paper-whether by signing, filing, submitting, or later advocating it-an attorney or unrepresented party certifies that to the best of the person's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances: ..." By signing their Motion, John F. Tomasic and Katherine A. Hoover MD verified it. No further verification was necessary.

Since Magistrate Stanley disallowed the pleading signed by John F. Tomasic and Katherine A. Hoover when she wrote her recommendations to the Court, the Court shall strike her recommendations because she did not follow Rule 11(b) as cited above.

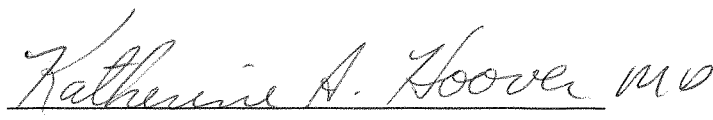
Magistrate Stanley showed contempt of the Court's Order by reopening a closed case and ordering that \$271.70 be removed from the savings account money of \$27,671.50 belonging to John F. Tomasic and Katherine A. Hoover. The Court has all ready ordered the return of the entire amount seized from WesBanco account no. xxxx3002. AUSA Pullin, AUSA Westfall, Magistrate Stanley and United States Marshall, who followed directions from AUSA Pullin rather than the Court have willfully disobeyed the Court ORDER.

Magistrate Mary Stanley had extensive ex-parte communication with AUSA Monica Schwartz and FBI agent James Lafferty when she signed the Search and Seizure warrants responsible for raiding the office at 35 West Third Ave. Williamson, West Virginia and seizing John F. Tomasic's money from WesBanco account xxxx7905 and WesBanco Account xxxx3002 which were unrelated to the medical practice in Williamson. Magistrate Stanley knew the information presented as a product of this investigation was not only incorrect, but there existed no legal way to ascertain the validity of the allegations short of arresting every single patient and seizing every chart of every patient. Then the medical community would need to review each chart along with the patient and Dr. Hoover to make any decision. This would uphold Dr. Hoover's treatment. This constitutes lack of subject matter jurisdiction over Dr. Hoover, but not her patients. 21 USC 801(a)(3)(C) protects doctors from government abuse such as what took place in Williamson, West Virginia. This protection is for good reason. The human rights violations of every single patient of the practice at 35 West Third Ave., Williamson, WV was so extensive that at least thirty-two patients died because they were denied medical care and vital medications. These heinous human rights violations would never have taken place if the above statute was followed by all federal officers involved. John F. Tomasic and Katherine A. Hoover MD consider these deaths and act of murder. Magistrate Stanley refuses to deal with this issue because she is one of the guilty parties.

WHEREFORE, the Court shall find that Magistrate Stanley has willfully disallowed the pleadings filed by John F. Tomasic and Katherine A. Hoover in violation of FRCP Rule 11 and willfully disobeyed the Court's Order regarding the return of WesBanco Account xxxx3002. Magistrate Stanley willfully deprived many patients of medical care and vital medications causing severe injury, suffering and even death. Because of these willful violations, the Court shall strike the Recommended findings of Magistrate Stanley and remove her from further dealings with Civil Action No.: 10-cv-1087. John F. Tomasic and Katherine A. Hoover MD request reasonable reimbursement for the costs of responding to Magistrate Stanley's Recommendations.


Respectfully submitted,


John F. Tomasic


Katherine A. Hoover
fax: 242-328-4014
c/o Dr. Norman Gay
N-3222
West Bay Medical Clinic
West Bay Street
Nassau, N.P., Bahamas

CERTIFICATE OF SERVICE

I, Katherine A. Hoover MD, do hereby certify that a true and correct copy of the foregoing MOTION FOR SANCTION AGAINST MAGISTRATE JUDGE MARY STANLEY has been mailed by Bahamian and United States mail to AUSA Betty Pullin and AUSA Fred Westfall PO Box 1713 Charleston, WV 25326 on February 2, 2012.


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